

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- March 23, 1966

Appeal No. 8647 Grace and Herman Hannauer, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. William F. McIntosh dissenting and Mr. Arthur B. Hatton not voting, the following Order was entered at the meeting of the Board on March 30, 1966.

EFFECTIVE DATE OF ORDER -- July 29, 1966

ORDERED:

That the appeal for permission to establish parking lot for a period of 5 years at 12th Street and Eastern Avenue, NW., lots 801 and 808, square 2960, be denied.

FINDINGS OF FACT:

- (1) Appellants' property is located in an R-1-B District.
- (2) An inspection of the property was conducted by the Board on March 21, 1966. The lot is unimproved with a very large tree situated toward the 12th Street side of the lot. There was some gravel covering the lot.
- (3) Appellants' lots abut a 20 foot wide public alley. The lots contain approximately 17,151 square feet of land. The property to the east of the alley is zoned C-2.
- (4) Appellant proposes to operate a parking lot with 45 parking spaces for the of government employees who work in the vicinity.
- (5) The property to the east of the proposed parking lot is developed with numerous commercial uses and is subject to heavy traffic conditions.
- (6) The nearby commercial uses include a food market, dry cleaning store, newsstand, beauty salon, bus terminal, drug store, liquor store, and delicatessen. On the northwest frontage of Eastern Avenue are buildings leased to the U.S. Government employing approximately 1,100 persons.

(7) Appellant asserts that the commercial uses have brought about acute traffic and parking problems in the area and the lack of parking spaces available at commercial sites has brought about an overflow into the adjacent residential area.

(8) The Department of Highways and Traffic offers no objection to the granting of the subject appeal.

(9) There was strong opposition to the establishment of this parking lot from residents of the area. The Shepherd Park Citizens Association and Neighbor's Inc. protested the granting of this appeal. These groups maintained that a parking lot would change the residential character of the neighborhood whereas the property could and should be used for the construction of residential dwellings. The record also contains one letter from a resident in opposition to the appeal and eight (8) letters supporting the appeal. A petition in opposition to the appeal is also on file and contains eleven (11) signatures.

OPINION:

We are of the opinion that the establishment of this proposed parking lot at this location would have an adverse impact on the nearby residential property and affect adversely the present character and future development of the neighborhood. Such a parking lot has not been shown to be necessary or convenient to persons residing in this residentially zoned area. In fact, such a parking lot would necessarily produce objectionable factors such as noise, traffic, fumes, and other objectionable conditions.

Further, the establishment of such a parking lot would not be in harmony with the general purpose and intent of the zone plan as embodied in the Zoning Regulations and Map.